

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. CR06-53-JPD

Plaintiff,

V.

CARL D. MATTOS.

Defendant.

**SUMMARY REPORT OF U.S.
MAGISTRATE JUDGE
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE**

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on September 7, 2007. The United States was represented by William Redkey. The defendant was represented by Jennifer Wellman.

CONVICTION AND SENTENCE

Defendant had been convicted of Possession of a Controlled Substance, a Class A misdemeanor, in violation of 21 U.S.C. § 844(a) on or about March 21, 2007. The Honorable James P. Donohue of this court sentenced Defendant to 180 days of confinement, followed by one year of supervised release. The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

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DEFENDANT'S ADMISSION

U.S. Probation Officer Brian Facklam alleged that Defendant violated the conditions of supervised release in the following respects:

- (1) Committing the criminal offense of assault 4th degree on or about July 2, 2007, in violation of the general condition of supervision that he commit no further federal, state, or local crimes;
- (2) Failing to abstain from the use of alcohol on or about July 2, 2007, in violation of the special condition of supervision requiring him to do so;
- (3) Entering a tavern, bar, or liquor store where alcohol is the primary commodity for sale on or about July 2, 2007, in violation of the special condition prohibiting him from doing so.

I advised the defendant of these charges and of his constitutional rights. Defendant admitted violation numbers 2 and 3, waived any hearing as to whether they occurred, and the Government has agreed to withdraw violation number 1. A disposition hearing has been set before the Honorable James P. Donohue.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that Defendant has violated the conditions of his supervised release as to violations 2 and 3, and set the matter for a disposition hearing.

Defendant has been released on continued supervision pending a final determination by the Court.

DATED this 10th day of September, 2007.



MONICA J. BENTON
United States Magistrate Judge

1 cc: Sentencing Judge : Hon. James P. Donohue
2 Assistant U.S. Attorney : William Redkey
3 Defense Attorney : Jennifer Wellman
U. S. Probation Officer : Brian Facklam

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